

Owners Directory
ARC Guidelines (Abbreviated)

ARCHITECTURAL REVIEW COMMITTEE GUIDELINES

A. Introduction

1. The Declarations (Covenants), as defined in Article II of the By-Laws, provide authority for the activities of the Architectural Review Committee (ARC) and its Guidelines by the statements contained within Article II and its paragraph, "Purpose of Declaration."

2. Property characteristics, which include construction, exterior changes and landscape improvements, shall not be altered in any respect without ARC written approval. Any work that will modify the exterior dimension or appearance of your property must be submitted to the ARC for prior approval.

3. Any owner, authorized agent, or contractor who plans to construct, enlarge, alter, repair, replace, paint, move, or demolish a building or structure in the Highlands Falls Community must submit plans for such action to the Architectural Review Committee of the Highlands Falls Community Association (HFCA).

4. The Board of Directors must agree in advance upon changes or additions to the current ARC Guidelines.

5. The terms "Highlands Falls Architectural Review Committee," "Architectural Review Committee," or "Committee" and the acronym "ARC" all have the same meaning and are used interchangeably herein.

6. Although much of the language in these guidelines and rules is directed toward the contractor, the Architectural Review Committee of Highlands Falls Community Association has no direct contractual relationship with the contractor. Further, the owner bears ultimate responsibility for compliance with these guidelines and all associated fees, fines, and other charges.

B. Landscaping Guidelines

Please see the Landscaping Guidelines section of the Handbook.

C. Guidelines for All Construction

(Remodeling and New)

1. All ARC Guidelines are requirements of the Community Association. Please consult either the Macon County or Jackson County ordinances, depending on location, to determine what regulations apply to your project for permitting of construction and inspections such as those dealing with building permit, soil disturbing activity (erosion control), and septic systems. These ARC Guidelines are in addition to the regulations imposed by the county. If the ARC Guidelines and the county building codes have different standards, the higher standard will prevail.

2. Setbacks

All building setbacks must be observed or a specific variance sought from the ARC before construction begins. The setbacks are:

- a. Twenty-five (25) feet from the front lot line in Section I and thirty-five (35) feet in Section II.
- b. Ten (10) feet from side and rear lot lines in Sections I and II, EXCEPT, thirty (30) feet from the rear lot line when abutting the golf course or a lake in Sections I and II.

3. Erosion control

a. Introduction

It is the policy of the Highlands Falls Community Association to prevent erosion from home construction sites and siltation of streams and lakes to the maximum extent possible. Building homes in our mountainous rainforest terrain creates abundant opportunity for erosion. Special efforts are required to prevent siltation and pollution. Compliance with Macon and Jackson County codes and ordinances as well as North Carolina statutes regarding erosion control is strongly recommended.

b. A copy of the Macon or Jackson County Land Disturbance permit application and permit must be included with the construction application.(August 2009)

c. All applications for construction permits will include a site plan that shows all erosion control devices.

d. Silt fencing will be installed on the downhill periphery of any area of disturbed earth immediately after trees are removed, before earth is disturbed, and shall be maintained throughout construction, and removed after living ground cover is established (not pine straw). The HFCA Manager must approve the stability of the ground cover. Silt fences shall also be maintained around drainage inlets and outlets. Silt fences shall be 24 inches above ground with the lower 12 inches dug-in on the uphill side of the

fence, covered with soil and packed so as to prevent blowouts.

e. Silt fences shall also be maintained around drainage inlets and outlets.

f. A construction drive of 2-3" clean stone of 2-3" depth must be installed for the first 50 ft from the paved road or street.

g. A stream buffer of 25 ft is required.

h. Additional minimum requirement where slope exceeds 25%

1) Where the footprint area of the house has a slope greater than 25% (25 feet of fall in 100 feet of horizontal run), the site plan must show the following preventative methods:

2) An additional silt fence will be installed six to ten feet below the primary silt fence and will be situated in the area expected to receive the greatest volume of water. The length of the additional silt fence will be determined by the HFCA Manager.

3) Where appropriate, catch basins will be installed to collect concentrated run-off and will be evacuated through dug-in six-inch flexible drain pipes discharging to the sides and away from disturbed earth areas, if possible, so that the volume of water flow over disturbed earth areas is reduced.

4) Where necessary to prevent erosion, rip-rap will be used at the ends of flexible drainpipes to slow and spread the discharge.

i. Rocky sites

Where rock around the house footprint prevents the normal installation of a silt fence, the rock will be drilled to a depth of 20 inches and steel "T" posts will be installed to support the silt fence. Soil or gravel will be used to anchor the lower 12 inches of silt fabric.

j. Slope of 1:1 (45%) or greater

A copy of the approved land disturbance plan required by Macon or Jackson County ordinance must be included in the construction application.

k. Earth disturbance of ½ acre (21,750 sq ft) or greater

A copy of the approved land disturbance plan required by Macon or Jackson County ordinance must be included in the construction application.

l. Fines for erosion control violation

The penalty for failure to comply with or maintain erosion control methods is up to \$500 per day for any day in which such non-compliance or maintenance failure occurs. These fines will be deducted from the contractor's compliance deposit. The owner is ultimately responsible for payment of these fines.

4. Ornamental structures and mailboxes

Lampposts, columns, walls or signs to be erected alone, or as part of new construction or remodeling, must be approved by ARC. Please submit a detailed drawing showing material, design and location. Vertical

arrangements of stone or rock shall be at least five feet from the edge of the asphalt road to the column or wall.

5. Mailboxes are available for purchase and installation from HFCA. Mailboxes not purchased through HFCA must be approved by the ARC before installation.

6. Driveways

The first thirty feet from the road of all driveways must be surfaced with pavers, asphalt, or concrete. The type and color of driveway chains must be submitted for approval.

7. Carports

Carports are permitted only if they do not open onto the street and are screened accordingly. Community patterns help determine acceptability.

8. Vent stacks, etc.

Vent stacks, pipes, etc. must be located on roofs where they would not be visible or unsightly from the street, golf course or adjacent properties. The least objectionable location must be determined and approved by the ARC. Vent stacks or pipes must also be painted to match roof color.

9. Exterior building materials

Exterior building materials are limited to wood, rock, stone or brick construction only. Wood shakes and fibre cement siding such as "hardieboard" siding may be considered commensurate with the design and décor of adjacent homes. Stucco is not allowed except for accent or decorative purposes. Vinyl siding and aluminum siding are not permitted. Log cabins or similar construction are not permitted.

10. Concrete block, foundation walls, chimneys, decks, porches

Concrete block, concrete foundation walls and chimneys must be stuccoed smooth and painted (not exposed). Foundation walls must be properly screened with landscaping. The underside of decks and porches which are more than 6' above finished grade must be screened with acceptable wood fencing, lattice or screened with landscaping as needed if they are exposed to view.

11. Roofs

Roofs of wooden shakes must have chimney "spark arresters." Color of roofing material must be submitted for approval at the time of plan submission. Approved roofing materials include cedar shakes, pine shakes, dimensional shingles including: Celotex Presidential, Elk Prestique I, Timberline Ultra, and Georgia Pacific Summit and TAMCO Heritage 30AR.

Other materials of equal quality and appearance may be submitted to the Committee for approval. It is strongly urged that composition roofing material be mildew proof or resistant such as the TAMCO product. Installation of zinc strips may also inhibit mildew.

The ARC will consider metal roofs using the following guidelines:

a). The roof shall be an architectural standing-seam type without exposed fasteners, with seams on 12" to 16" centers, depending on the length of run for each panel.

b). The panels shall be either aluminum or steel. If they are steel, they shall have a "galvalum" treatment prior to finishing. The finish shall be a "Kynar 500" resin based coating.

c). A roof sample and color sample must be submitted along with the application.

d). A metal roof installation will be considered on a case-by-case basis with other critical factors such as adjoining property.

e). A licensed North Carolina contractor shall install a metal roof.

12. Paint color

Color samples showing brand and color must be submitted for all exterior painting, including repainting the same color. The HFCA office has a sample of all colors that are pre-approved. The use of white hues for trim is discouraged in our community due to the high humidity and prevalence of mildew. All exterior paint must be mildew inhibiting or mildew inhibitors must be added.

13. Miscellaneous

No TV antennas are allowed. 18" Satellite dishes are permitted. The location of the dish will be at the discretion of the HFCA Manager. Exterior, above ground gas tanks, generators, air conditioning units, and heat pumps are permitted with prior approval of location and screening from street and golf course view by ARC.

14. Port-a-John

Port-a-Johns MUST be inconspicuous, serviced weekly, and be at least 25' from the road, if the terrain allows.

15. Job identification sign

After final approval from the ARC to begin construction, a job identification sign may be erected on the job site during construction. The sign must be 2 ½' x 2 ½', with the Contractor's name/architects name, and lot number.

16. Contractor's compliance deposit

If the owner acts as contractor, the same requirements shall apply.

Upon depletion of the contractor compliance deposit, the owner shall be responsible for any balance of fees or fines.

It is recommended that the owner negotiate with the contractor as to who will be responsible for fees such as permit extensions and fines such as for inadequate erosion control.

17. Certificate of compliance

An HFCA certificate of compliance must be requested by the contractor at the completion of new or remodeling construction. A certificate of compliance will not be issued until the structure is completed and the contractor has received the occupancy permit from the County Building Inspector. Repairs to damaged roads and roadside must be completed, construction finished according to approved plans, job site clean, ground cover established, driveway surfaced and landscaping plans approved prior to the issuance of this certificate. The ARC understands that paving is seasonal. The compliance deposit paid at the time of plan submission, less any fees and fines not collected and less any actual costs to the HFCA for repair of damage, will be refunded with interest at the rate earned by the HFCA Compliance Deposit Account and at the time of the issuance of the Certificate of Compliance.

D. Rules for Contractors and Workers.

1. Pursuant to the Highlands Falls Restrictive Covenants, no topographic or vegetation characteristics of the property shall be altered by removal, reduction, cutting, excavation or any other means without the prior written approval of the ARC. No trimming or removal of vegetation is allowed without an on-site inspection by the HFCA Manager and written approval by the ARC.

2. Failure to contact the ARC for permission could result in fines up to \$500.00 per incident.

3. Vehicles and equipment

a. Vehicles must observe the following speed limits: for all trucks, work vans, and equipment - 20 mph; for automobiles - 25 mph. The speed limit will be enforced and fines will be levied against the contractor's deposit. Workers are only authorized to travel directly to and from the job sites(s). The Contractor is responsible for the actions of his employees, subs and suppliers. All trucks must cover material or properly secure it for delivery to or removal from Highlands Falls Community.

b. Workers' vehicles shall be parked off the road and on the job site whenever possible. Parking on street shoulders may be allowed with

approval from the HFCA Manager; and, the contractor is responsible for repair of any damage as determined by HFCA. When there is insufficient parking available, contractor will provide transportation for the workers to and from the job site. Parking on roadside is not allowed overnight or after working hours. The Community Association assumes no responsibility for vehicles parked on the roads, roadside or job sites.

c. Additional construction equipment and dump trucks must be parked off the roads and on the construction site at all times.

4. Any deliberate or negligent damage to the roads, roadside or any other property caused by a Contractor, his employees, sub-contractors or suppliers will be repaired at the Contractor's or property owner's expense. All repairs to HFCA property damaged during construction will be subject to approval of the ARC.

5. HIGHLANDS FALLS WORKING HOURS

8:00 AM – 6:00 PM MONDAY – FRIDAY

SATURDAY UNTIL 4:00

SUNDAY - None

No construction or related activity permitted on Sunday or observed holidays. Observed holidays are New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day. Construction personnel are not allowed on the property outside of these work hours except for emergency services as determined by security staff.

6. The contractor is responsible for all activity on the job site including, but not limited to, the following.

a. The ARC insists on a clean job site at all times. Contractors must either provide adequate waste containers or remove trash and debris on a regular basis. The burying of debris is not permitted on construction site.

b. ARC requires construction debris dumpsters on all new home sites, and may require them on remodeling sites.

c. Loud noise, other than that associated with normal construction, is not allowed. Radios or music players of any type must have the volume turned down. Fines will be charged for loud music or noise.

d. Excessive construction noise, such as jack hammering, will only be permitted for twelve (12) working days without prior permission.

e. Dogs and other animals are not allowed on job sites.

f. Children under the age of twelve (12) are prohibited on all working job sites.

g. Open burning is not permitted.

h. Blasting is only permitted by prior written permission from the ARC and then only if the proper safety precautions are observed (blasting mat, fill dirt, etc.) Blasting must be in accordance with all NC State laws. Proof of adequate insurance for each blasting job is required. The fine for blasting without ARC permission is per occurrence. Blasting permits are the responsibility of the General Contractor. The contractor is responsible for notifying HFCA at least one full business day (24 hours) prior to blasting. HFCA will notify homeowners of the anticipated blasting.

E. Existing Homes and Other Structures

1. Maintenance

a. Any change to the exterior of a home that will alter the appearance of the structure must be reviewed by the ARC. This includes standard maintenance items such as re-roofing, replacing a deck, and painting or repainting with the same color. This review insures that the actions are replacement only and meet HFCA criteria.

b. Please review "Guidelines for All Construction" which includes sections on roofing materials, exterior building materials, paint color, etc. for criteria which must be met.

c. The written application for maintenance must be submitted to the ARC and must include specifications of exterior colors and materials to be used.

d. A maintenance permit has a time limit of 3 months.

e. No fee is required.

f. There will be a charge of \$250 for each full month that work continues beyond the 3 month time limit.

g. No contractor compliance deposit is required.

2. Exterior remodeling of a home must be approved in advance by the ARC.

- Examples of remodeling are: adding square footage, changing the exterior façade by changing or adding doors or windows, installing new siding or rock facing, enclosing a porch, adding a golf cart shed or garage, adding dormers, or any other change in the exterior appearance.

- C. "Guidelines for All Construction" apply.

a. Exterior remodeling within the existing footprint

1.) The written application for remodeling must be submitted to the ARC and must include a description of the changes and specifications of exterior

colors and materials to be used.

2.) A remodeling within existing footprint permit has a time limit of 3 months.

3.) The permit fee is \$250.

4.) There will be a charge of \$250 for each full month that work continues beyond the 3 month time limit.

5.) The contractor's compliance deposit is \$1,000.

b. Remodeling/renovation with footprint expansion of less than 1,000 sq ft

1.) In its sole discretion ARC may apply any or all of the requirements contained within F. New Construction depending upon the scope of the project.

2.) The written application for remodeling with footprint expansion must be submitted to the ARC and must include a description of the changes, detailed plans and specifications for structural attachment to the existing foundation, and specifications of exterior colors and materials to be used.

3.) A remodeling with footprint expansion under 1,000 sq ft. permit has a time limit of 6 months.

4.) The permit fee is \$500 plus \$2 per added heated or unheated sq foot and/or \$0.50 per added sq ft of decking

5.) There will be a charge of \$500 for each full month that work continues beyond the 6 month time limit.

6.) The contractor's compliance deposit is \$1,500.

c. Extensive remodel/renovation with expansion of footprint over 1000 sq ft

1.) In its sole discretion ARC may apply any or all of the requirements contained within F. New Construction depending upon the scope of the project.

2.) The ARC should request a review of submitted plans and specifications by an architect or a consultation with an engineer of its choosing to insure that its criteria are being met and that the new structure will blend harmoniously within the Highlands Falls Country Club community. The consultation fee will be paid from the permit fee.

3.) A remodeling with footprint expansion over 1,000 sq ft. permit has a time limit of 6 months.

4.) The permit fee is \$500 plus \$2 per added heated or unheated sq foot and/or \$0.50 per added sq ft of decking

5.) There will be a charge of \$500 for each full month that work continues beyond the 6 month time limit.

6.) The contractor's compliance deposit is \$3,000.

d. Total rebuild/tear down and rebuild.

Activity in this category shall be treated as new construction and all rules, conditions, applications, etc. will apply. For an extensive remodel/total rebuild, fees shall be charged as new construction, with appropriate modifications as determined by the ARC.

F. New Construction

1. Introduction

a. Highlands Falls property owners must satisfy all outstanding assessments, fines, and fees in-full prior to the submission of plans for new home construction.

b. No construction or clearing may be started prior to the receipt of written approval of the ARC.

c. The Committee may require that the property owner return the property to its previous condition if any construction, site work or landscaping is not approved in writing. All costs involved shall be at the expense of the owner.

d. It is strongly urged that the owner and architect/landscape designer meet with representatives of the ARC early in the design process to avoid problems that might arise should the design not meet Highlands Falls criteria.

e. A construction application is not complete until preliminary plans have been submitted and a meeting between the owner, his/her contractor, ARC representatives, and the HFCA Manager with these plans as the subject has been concluded. Final ARC approval will require submission of plans which have received pertinent building authority approval. To avoid expensive changes due to failure to meet HFCA criteria, there should be no significant difference between the preliminary plans which have been reviewed with ARC and those which are submitted for building authority approval.

f. New construction submittals must be complete; a partial submission will not be processed and will not be held by the ARC until all items are submitted. All exterior changes from an approved plan must be submitted and approved by the ARC.

g. The ARC should request a review of submitted plans by an architect or a consultation with an engineer of its choosing to insure that its criteria are

being met and that the new structure will blend harmoniously within the Highlands Falls Country Club community. The consultation fee will be paid from the plan submission fee.

h. The ARC may reject any plans it deems not complimentary with existing construction in the Highlands Falls Country Club community.

i. New construction must commence within ninety (90) days of approval of plans.

j. All exterior work on the structure, site work and landscaping to control erosion must be completed within twelve (12) months from the first day of construction. Failure to complete these requirements within twelve (12) months may result in fines up to \$500 a month.

k. Final completion, issuance of certificate of occupancy by the County, and issuance of certificate of compliance by HFCA must occur no later than eighteen (18) months from the start of construction. Failure to complete all work within this time shall result in a charge against the contractor compliance deposit of \$500 for each additional full month.

2. New Construction Submission Requirements

Please request these requirements from the HFCA office.

3. New Construction Criteria Which Must Be Met

Please request these criteria from the HFCA office.

4. New Construction Fee Structure

Please request the fee structure from the HFCA office.